



ORDINANCE NO. 23-03

**AN ORDINANCE TO AMEND THE TOWN OF MILLVILLE CODE AT CHAPTER 155,
ENTITLED "ZONING," REGARDING RESIDENTIAL UNITS.**

WHEREAS, the Town Council of Millville has the power to adopt ordinances in the interest of good government and the safety, health, and public welfare of the Town, its inhabitants, and affairs, including to provide for and preserve the health, peace, safety, cleanliness, ornament, good order and public welfare of the Town and its inhabitants; and

WHEREAS, the Town of Millville has adopted a Zoning Ordinance for the municipality, which has been codified in Chapter 155 of the Town Code;

WHEREAS, the Town Council may from time to time amend, supplement, or change the regulations and restrictions established by this Ordinance;

NOW, BE IT THEREFORE ORDAINED, by the Town Council for the Town of Millville, Sussex County, Delaware, having duly met and a majority thereof concurring herein, that the following amendments are hereby adopted and incorporated into the Town of Millville Code at Chapter 155, entitled "Zoning":

Section 1. Amend § 155-10E with **additions shown in black bold and underlined** and ~~deletions in black bold and strikethrough~~ as follows:

§ 155-10. R-Residential District

E. Area and yard requirements.

(1) The following requirements shall apply to all uses in the zone except where otherwise provided:

(a) Minimum:

[1] Lot frontage: 60 feet. Minimum lot frontage of 100 feet is required for lots without access to public sewer and water services.

[2] Lot area: 7,500 square feet.

- [3] Lot depth: 100 feet.
- [4] Each side yard: seven feet.
- [5] Front yard: 25 feet.
- [6] ~~Livable floor area per residential unit: 1,200 square feet. (NOTE: Excluding basements and open porches.)~~
- [7] Rear yard: 10 feet.

(b) Maximum: the maximum coverage of the lot for the principal building and all accessory buildings shall be 45%.

Section 2. Amend § 155-18 with additions shown in black bold and underlined and ~~deletions in black bold and strikethrough~~ as follows:

§ 155-18. Principal use.

- A. There shall be only one principal use and one building on any lot in any district with a residential use, except apartment or townhouse developments receiving site plan approval where all uses are permitted for that zone.
- B. The minimum gross livable floor area (as defined by the applicable International Residential Code) per residential unit other than apartments is 1,200 square feet.

ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF MILLVILLE, SUSSEX COUNTY, DELAWARE, ON THIS _____ DAY OF _____, 2023.

SEAL:

MAYOR

ATTESTED:

SECRETARY

SYNOPSIS

This ordinance revises the Zoning Code by relocating the minimum livable floor area for residential rental units to a location in the Code that more clearly applies the requirement to all residential units regardless of zoning district.